

PATENT

ATTORNEY DOCKET NO. 114596-31-000127BS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/672,424 Confirmation No.: 7407
 Applicant: Gurjeet S. Saund, et al.
 Title: COMPLEX INSTRUCTION SET COMPUTER
 Filed: September 28, 2000
 Art Unit: 2183
 Examiner: E. Coleman
 Atty. Docket: 114596-31-000127BS
 Customer No. 38492

REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Applicant notes that the Office Action of June 19, 2006 is prematurely final, and requests that the status of the application be changed from "Final rejection mailed" to "Non final action mailed."

At ¶ 22, the Action expressly concedes that "new grounds of rejection" were raised. The independent claims are not amended, and the amendments to the dependent claims are exactly those "which should reasonably have been expected." Therefore, these "new grounds" are not necessitated by amendment, and final rejection is premature. MPEP § 706.07(a).

Further, ¶ 22 explains that there was no answer to material traversed in the Response of March 31, 2006 because of the new grounds of rejection. The Office must either "answer all material traversed" MPEP § 707.07(f), or develop and maintain a consistent position long enough to fairly develop issues for appeal. MPEP § 706.07. The Office cannot with one hand

I certify that this correspondence, along with any documents referred to therein, is being transmitted by facsimile on August 3, 2006 to Mail Stop AF, at FAX no. 571 273 8300, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[Signature]

Request to Withdraw Finality of Office Action
 This paper dated August 3, 2006

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